

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

LUIS A. GONZALEZ, and JULIO  
SANCHEZ ESPINOZA, individually and on  
behalf of others similarly situated,

Plaintiffs,

-against-

H.K. SECOND AVE RESTAURANT INC.  
d/b/a BAIT & HOOK, SHAHEEN KHAN,  
and MAHA KHONDOKER,

Defendants.

USDC SDNY  
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1:20-cv-04271 (MKV)

ORDER OF  
DISMISSAL

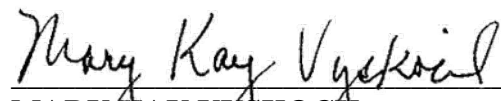
MARY KAY VYSKOCIL, United States District Judge:

The Complaint in this action was filed on June 4, 2020 [ECF #1]. Executed summonses were filed on the docket on July 24, 2020 and September 25, 2020, reflecting service on July 21, 2020 and July 22, 2020 [ECF #11-13]. Defendants' responses to the complaint were due by August 12, 2020. No responses were filed, and Plaintiff has not prosecuted this case to date. Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **November 25, 2020**. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

**SO ORDERED.**

**Date: October 26, 2020**  
**New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge